OFFICE OF THE STATE PUBLIC DEFENDER

Agency Strategic Plan
Strategic Planning Committee
January 2012

PURPOSE OF THE PLAN

- Identifies the services provided by the Office of the State Public Defender (OPD) to clients
- Defines the services and how OPD will provide these services
- Provides a cost estimate
- Provides an organizational structure to operate and manage the system

- The agency is supervised by an 11 member
 Montana Public Defender Commission
- Services are provided by two programs:
 - Program 1: Public Defender Services
 - Program 2: Appellate Defender Services
- Services are also provided by a Conflict Coordinator

- The Public Defender Program conducts services:
 - In 11 regions each with a regional deputy public defender
 - In 16 Offices each with an office manager
 - Statewide functions:
 - □ Conflict Coordinator .5 FTE position in Helena
 - □ Central services in Butte
 - Training function
 - Contract management function

- The Appellate Defender Program provides services to clients located throughout the state.
- The Supreme Court is located in Helena, so the Appellate Defender Program also conducts operations in Helena

 The agency has an executive group that sets policy for all programs

MISSION STATEMENT

- The mission of the Office of the State Public Defender is to provide effective assistance of counsel to indigent persons accused of crimes and other persons in civil cases who are entitled to the assistance of counsel at public expense.
- The constitutions of the United States and the State of Montana guarantee the right to counsel where fundamental liberty interests are at stake.
- In Montana, minors have the same right to counsel as adults.

VISION STATEMENT

- Any person who is entitled to an attorney at public cost, will receive competent, vigorous representation
- The agency will employ full-time state public defenders and will also use contract attorney services
- The Commission will develop public defender Standards of legal practice
- The agency will maintain a meaningful training program

GOALS AND OBJECTIVES - PROGRAM 1

GOAL 1: Maintain and improve a statewide public defender system to provide effective assistance of counsel to indigent criminal defendants and other persons in civil cases who are entitled by law to assistance of counsel at public expense.

OBJECTIVE: Monitor the existing public defender system to assure that it provides high quality services at a reasonable cost.

ACTION ITEM: Periodically adjust the balance of state employees and contract services to achieve the best result.

ACTION ITEM: Periodically update the agency's plan for providing public defender services for presentation to the Montana Public Defender Commission and other interested parties.

GOAL 2: Ensure that the system is free from undue political interference and conflicts of interest.

OBJECTIVE: Assist the criminal justice system to treat people without bias and to provide fair treatment to all.

ACTION ITEM: Monitor the agency's uniform procedure for identifying conflicts of interest.

ACTION ITEM: Identify attorneys who are available to handle conflict cases.

GOAL 3: Monitor that public defender services are delivered by qualified and competent counsel in a manner that is fair and consistent throughout the state.

OBJECTIVE: Staff and support the agency's training function.

ACTION ITEM: The training coordinator, in consultation with the Chief Public Defender and the Public Defender Commission, will design annual training programs that best achieve the goals of the agency.

ACTION ITEM: The training coordinator will provide training to all members of the system including state employees and contract service providers.

ACTION ITEM: The training coordinator will provide training for attorneys representing those with physical or mental disabilities.

GOALS AND OBJECTIVES - PROGRAM 1 (CONTINUED)

GOAL 4: Assure that the system utilizes state employees, contracted services, or other methods of providing services in a manner that is responsive to and respective of regional and community needs and interests.

OBJECTIVE: Assure that the main focus of the Office of the State Public Defender is to provide the best client service. Assure that service is being provided by monitoring the performance of state employees and contracts with private attorneys.

ACTION ITEM: Continually identify attorneys willing to contract for public defender services.

GOAL 5: Advocate for adequate funding of the statewide public defender system.

OBJECTIVE: The agency will communicate to the Montana Public Defender Commission, all branches of state government, and other interested parties information related to the caseloads and costs of the public defender system.

GOALS AND OBJECTIVES - PROGRAM 2

GOAL 1: Maintain and improve a statewide appellate defender system to provide effective assistance of counsel to indigent criminal defendants and other persons in civil cases who are entitled by law to appeals at public expense.

OBJECTIVE: Monitor the existing appellate defender office to assure that it provides high quality services at a reasonable cost.

ACTION ITEM: Periodically adjust the balance of state employees and contract services to achieve the best result.

ACTION ITEM: Periodically update the agency's plan for providing appellate services for presentation to the Montana Public Defender Commission and other interested parties.

GOAL 2: Ensure that the system is free from undue political interference and conflicts of interest.

OBJECTIVE: Assist the criminal justice system to treat people without bias and to provide fair treatment to all.

ACTION ITEM: Monitor the agency's uniform procedure for identifying conflicts of interest.

ACTION ITEM: Identify attorneys who are available to handle post-conviction relief petitions.

GOAL 3: Monitor that appellate defender services are delivered by qualified and competent counsel.

OBJECTIVE: Staff and support the agency's training function.

ACTION ITEM: The training coordinator, in consultation with the Chief Public Defender and the Public Defender Commission, will design annual training programs that best achieve the goals of the agency, including goals of the appellate office.

ACTION ITEM: Provide for out-of-state specialized appellate training for one appellate attorney each year.

ACTION ITEM: The training coordinator will include appellate attorneys in trainings to further the understanding of appellate issues for all public defenders.

GOALS AND OBJECTIVES - PROGRAM 2 (CONTINUED)

GOAL 4: Assure that the system utilizes state employees and contracted services to avoid conflicts of interest and to process appeals in a timely manner.

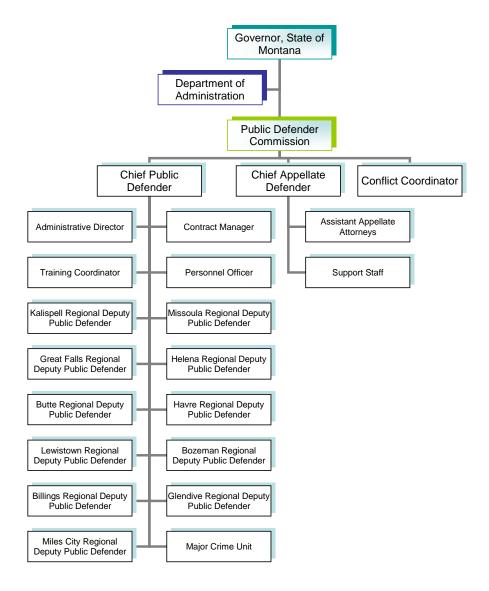
OBJECTIVE: Assure that the main focus of the Appellate Office of the Office of the State Public Defender is to provide the best appellate service. Assure that service is being provided by monitoring the performance of appellate attorneys.

ACTION ITEM: Continually identify attorneys willing to contract for appellate services.

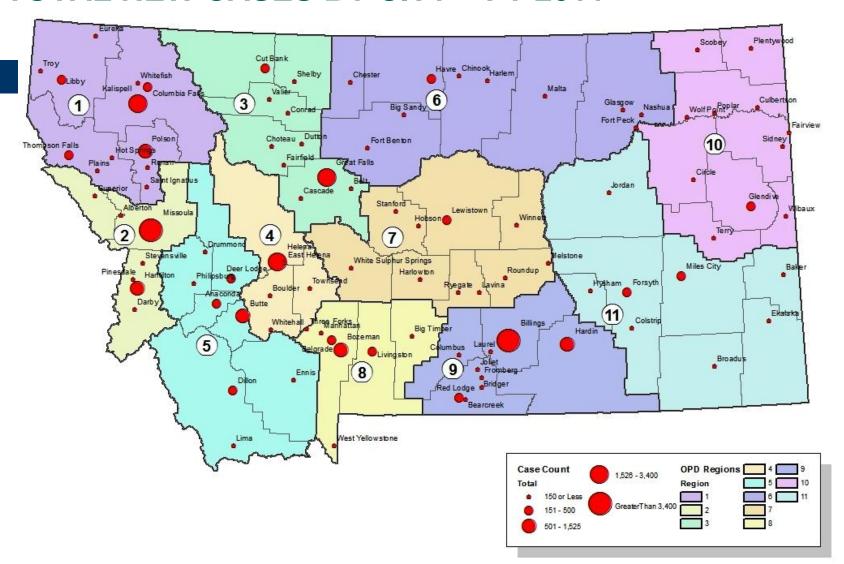
GOAL 5: Advocate for adequate funding of the statewide appellate defender system.

OBJECTIVE: The agency will communicate to the Montana Public Defender Commission, all branches of state government, and other interested parties information related to the caseloads and costs of the appellate defender system.

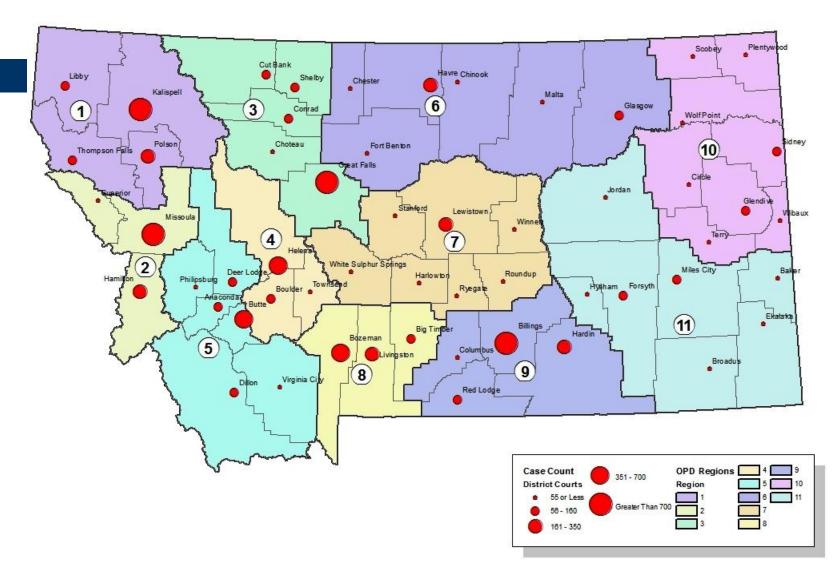
ORGANIZATIONAL STRUCTURE



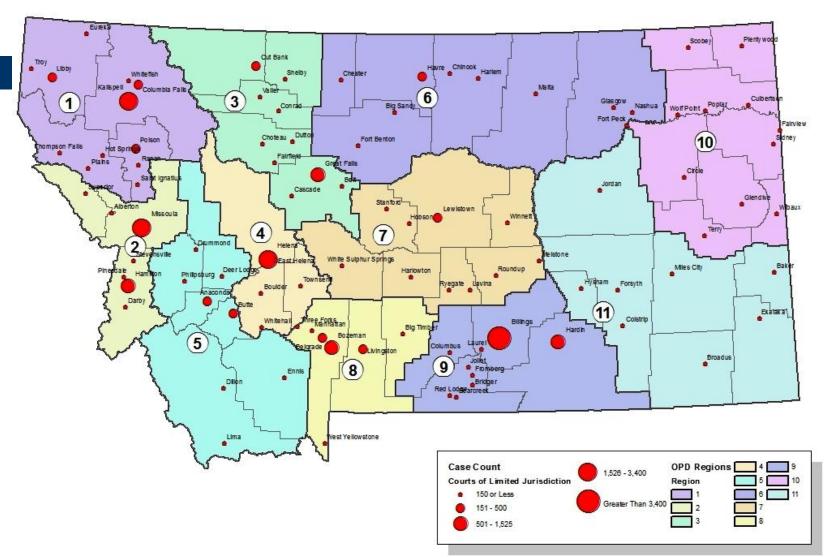
TOTAL NEW CASES BY CITY - FY 2011



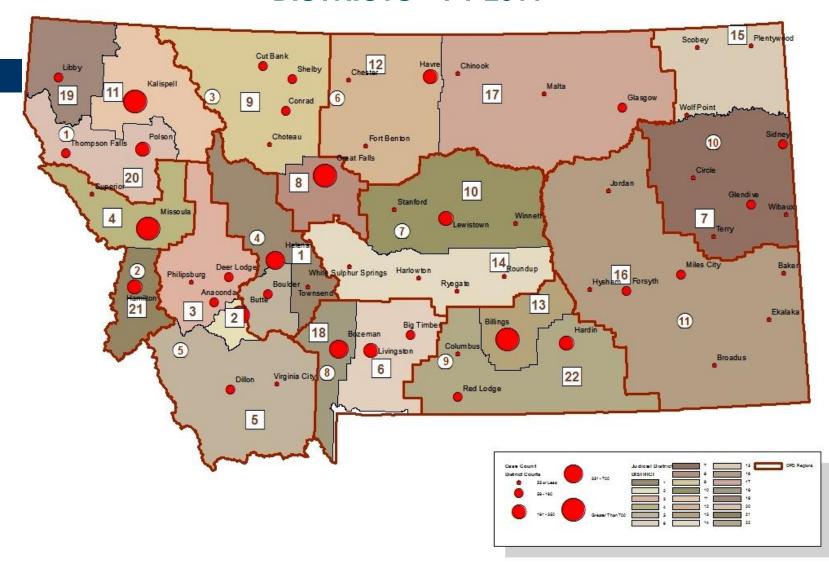
NEW DISTRICT COURT CASES BY CITY - FY 2011



NEW CASES FOR COURTS OF LIMITED JURISDICTION BY CITY – FY 2011



NEW DISTRICT COURT CASES BY CITY BY JUDICIAL DISTRICTS – FY 2011



Region 1 – Kalispell

Attorneys: 17.5 Support Staff: 8 Investigators: 2

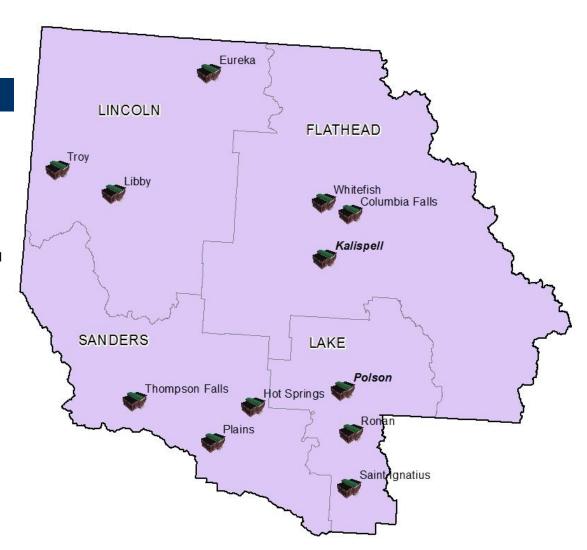
Contract Attorneys: 24

FYE 2011 Cases Opened: 4,361

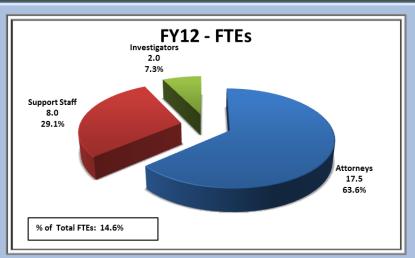
• District Court Cases: 1,510

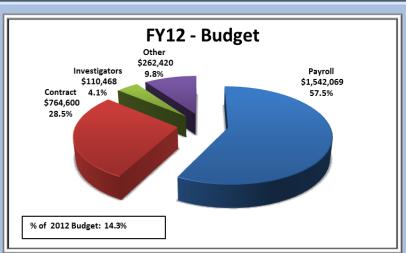
Cases in Courts of Limited Jurisdiction: 2,851

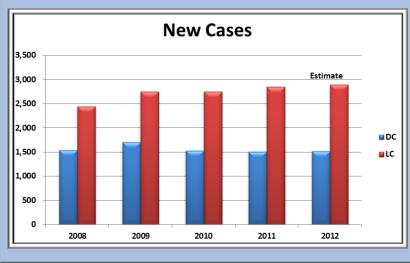
District Courts: 4 Lower Courts: 16 Sq. Miles: 12,967

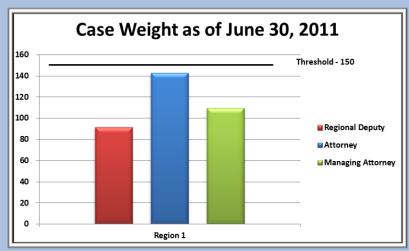


Region 1 – 2012 Snapshot









Region 2 – Missoula

Attorneys: 22.50 Support Staff: 10 Investigators: 3

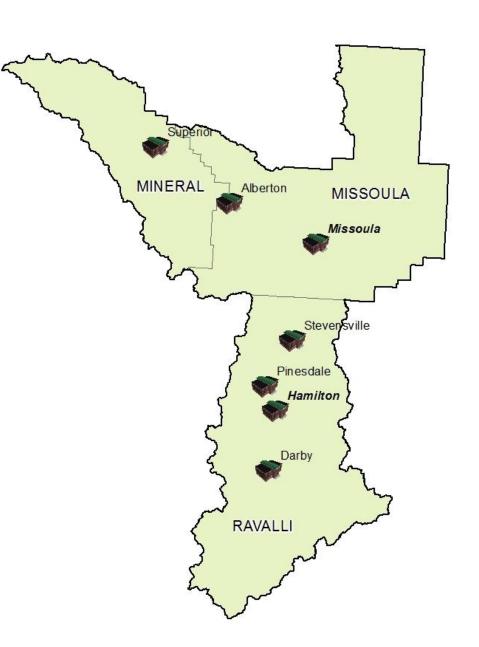
Contract Attorneys: 47

FYE 2011 Cases Opened: 4,831

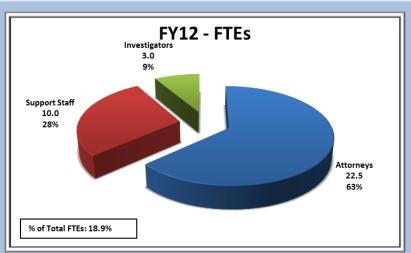
District Court Cases: 1,477

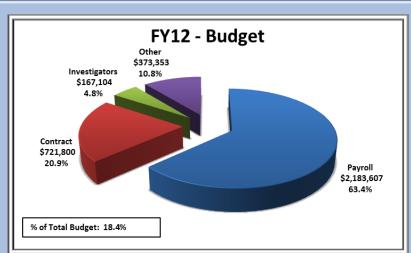
· Cases in Courts of Limited Jurisdiction: 3,354

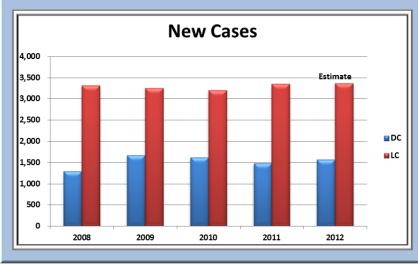
District Courts: 3 Lower Courts: 10 Sq. Miles: 6,212

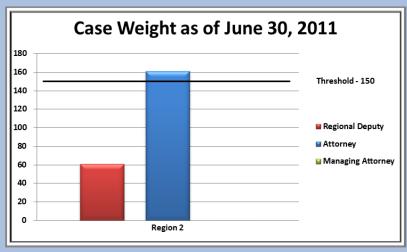


Region 2 – 2012 Snapshot









Region 3 – Great Falls 3

Attorneys: 12 Support Staff: 6 Investigators: 3

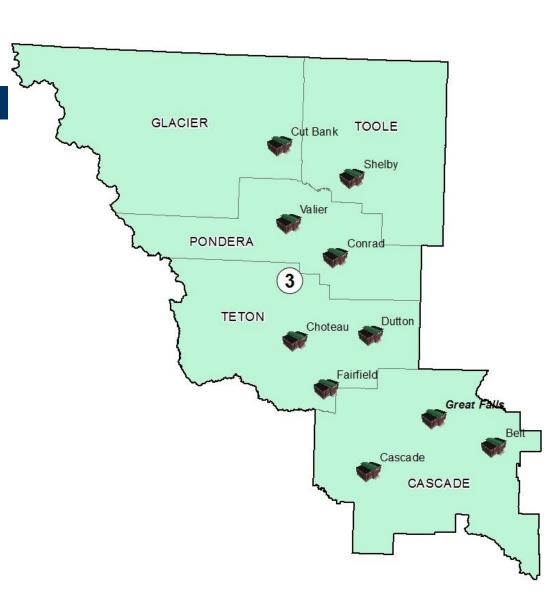
Contract Attorneys: 26

FYE 2011 Cases Opened: 3,116

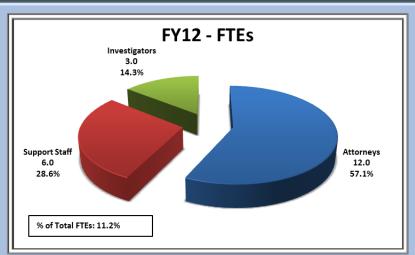
District Court Cases: 1,642

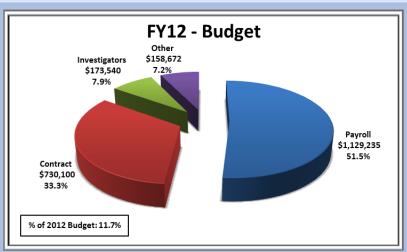
Cases in Courts of Limited Jurisdiction: 1,474

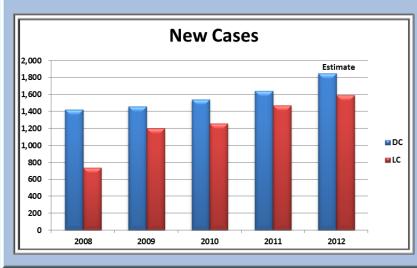
District Courts: 5 Lower Courts: 16 Sq, Miles: 11,501

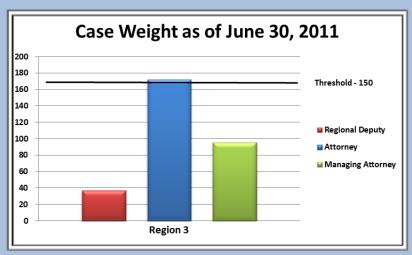


Region 3 – 2012 Snapshot









Region 4 – Helena

Attorneys: 11 Support Staff: 4 Investigators: 1

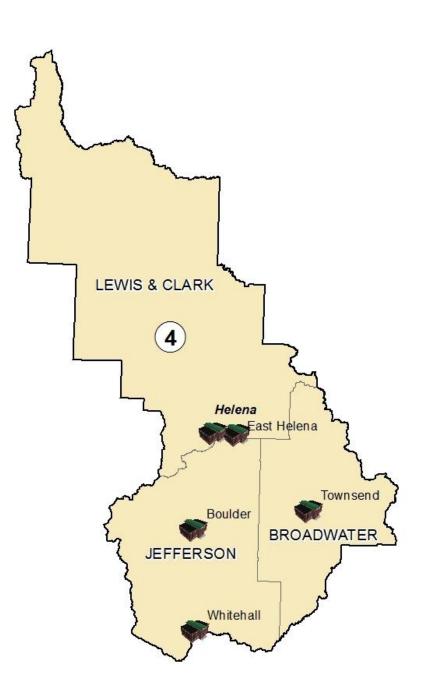
Contract Attorneys: 13

FYE 2011 Cases Opened: 2,644

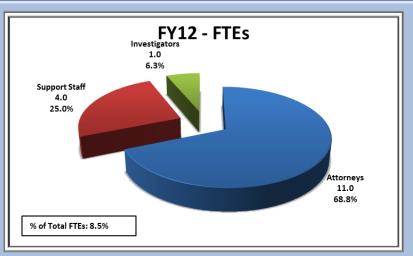
District Court Cases: 796

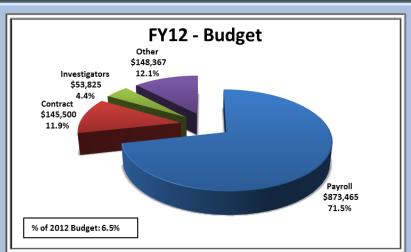
Cases in Courts of Limited Jurisdiction: 1,848

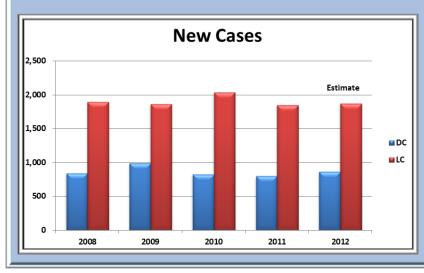
District Courts: 3 Lower Courts: 8 Sq. Miles: 6,309

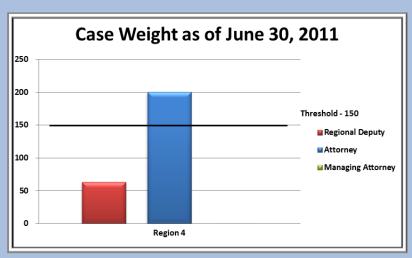


Region 4 – 2012 Snapshot









Region 5 – Butte

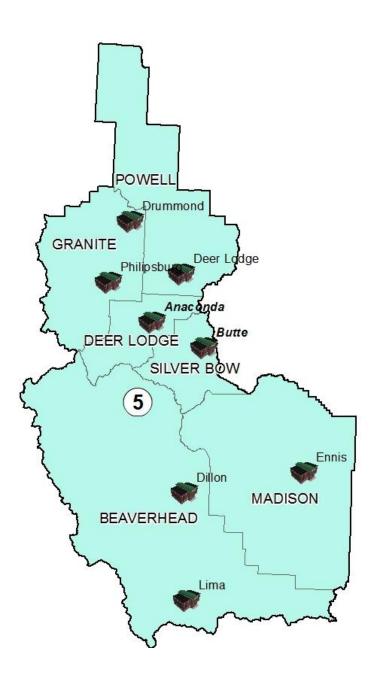
Attorneys: 9
Support Staff: 4
Investigators: 1.5
Contract Attorneys: 7

FYE 2011 Cases Opened: 1,573

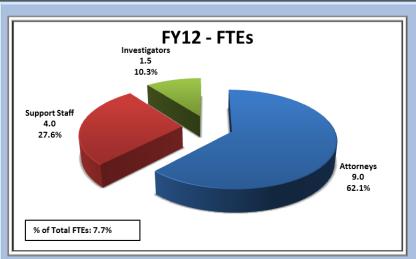
· District Court Cases: 693

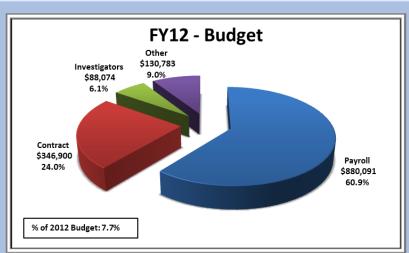
· Cases in Courts of Limited Jurisdiction: 890

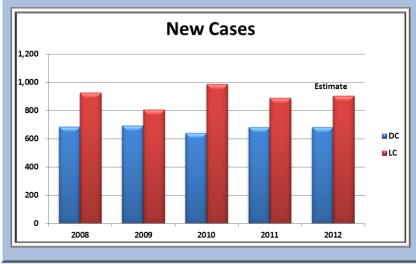
District Courts: 6 Lower Courts: 14 Sq. Miles: 14,638

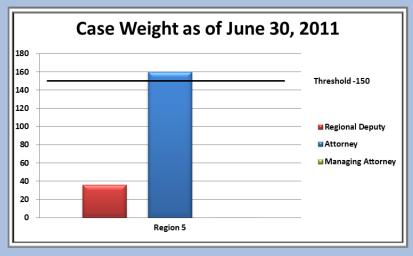


Region 5 – 2012 Snapshot









Region 6 – Havre

Attorneys: 2 Support Staff: 1 Investigators: 1

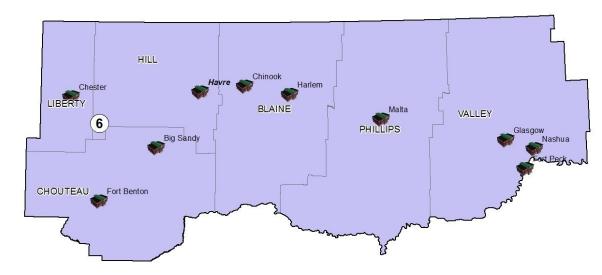
Contract Attorneys: 10

FYE 2011 Cases Opened: 774

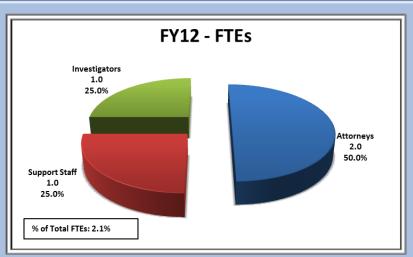
· District Court Cases: 416

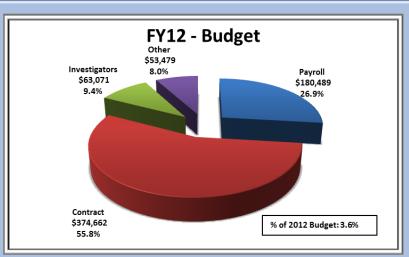
Cases in Courts of Lower Jurisdiction: 358

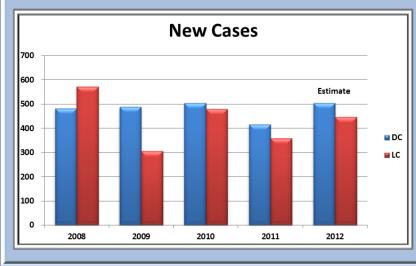
District Courts: 6 Lower Courts: 16 Sq. Miles: 22,586

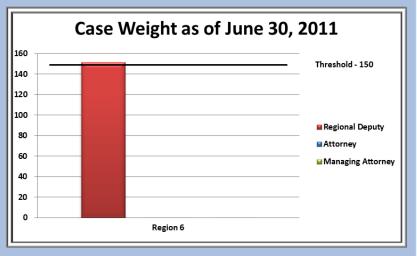


Region 6 – 2012 Snapshot









Region 7 – Lewistown

Attorneys: 2 Support Staff: 1 Investigators: 0.5

Contract Attorneys: 18

FYE 2011 Cases Opened: 520

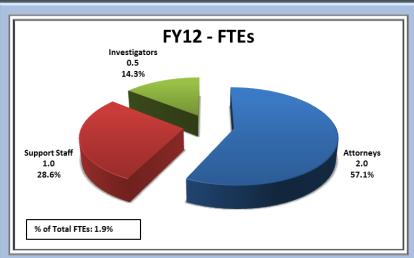
· District Court Cases: 281

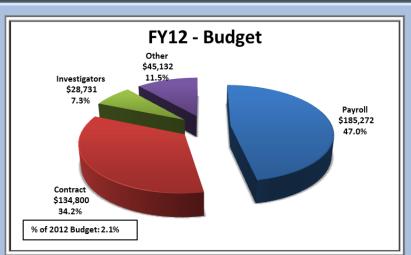
· Cases in Courts of Limited Jurisdiction: 239

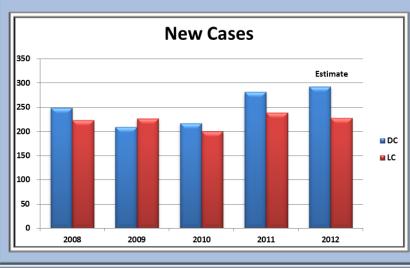
District Courts: 7 Lower Courts: 17 Sq. Miles: 14,720

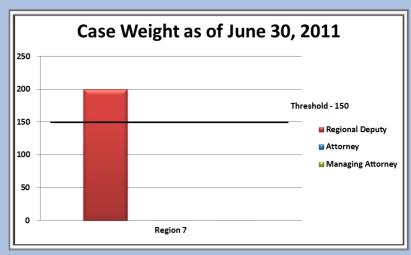


Region 7 – 2012 Snapshot









Region 8 – Bozeman

Attorneys: 10 Support Staff: 6 Investigators: 2

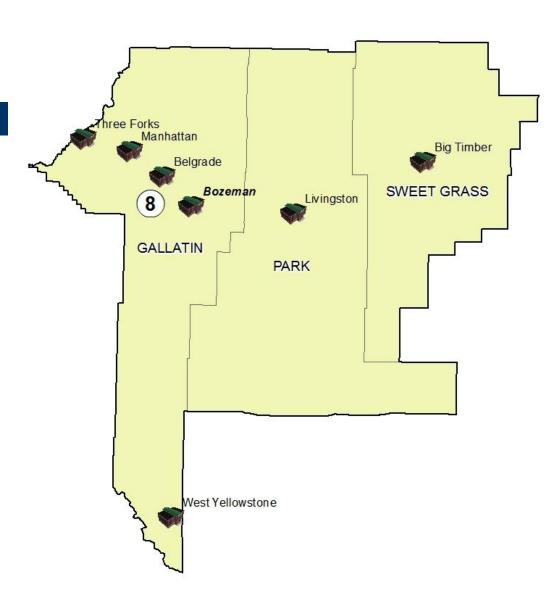
Contract Attorneys: 27

FYE 2011 Cases Opened: 2,251

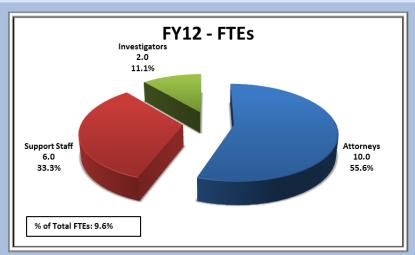
District Court Cases: 772

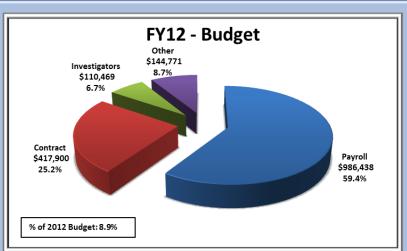
Cases in Courts of Limited Jurisdiction: 1,529

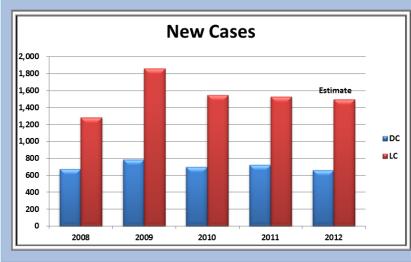
District Courts: 3 Lower Courts: 14 Sq. Miles: 7,263

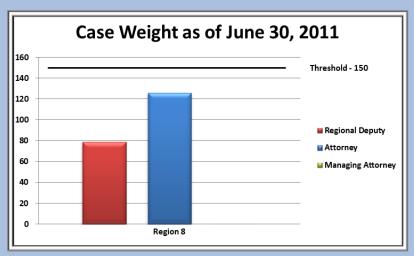


Region 8 – 2012 Snapshot









Region 9 – Billings

Attorneys: 19.75 Support Staff: 10 Investigators: 3

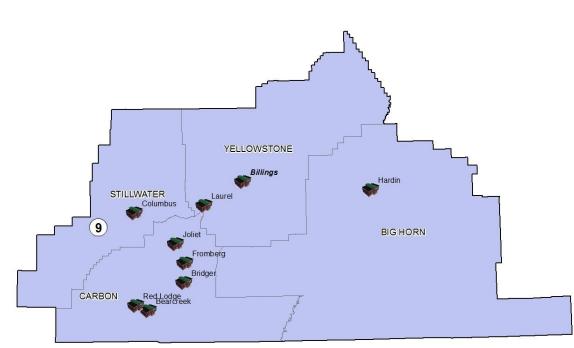
Contract Attorneys: 38

FYE 2011 Cases Opened: 6,568

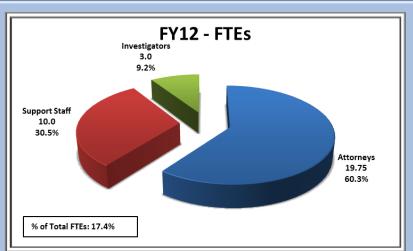
· District Court Cases: 1,907

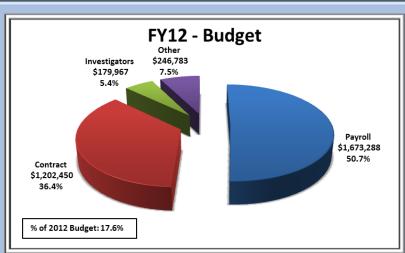
Cases in Courts of Limited Jurisdiction: 4,661

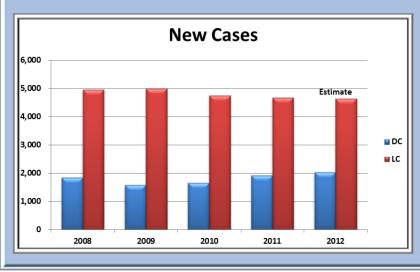
District Courts: 4 Lower Courts: 13 Sq. Miles: 11,473

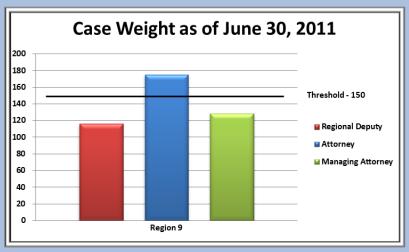


Region 9 – 2012 Snapshot









Region 10 – Glendive

Attorneys: 3
Support Staff: 1
Investigators: 1

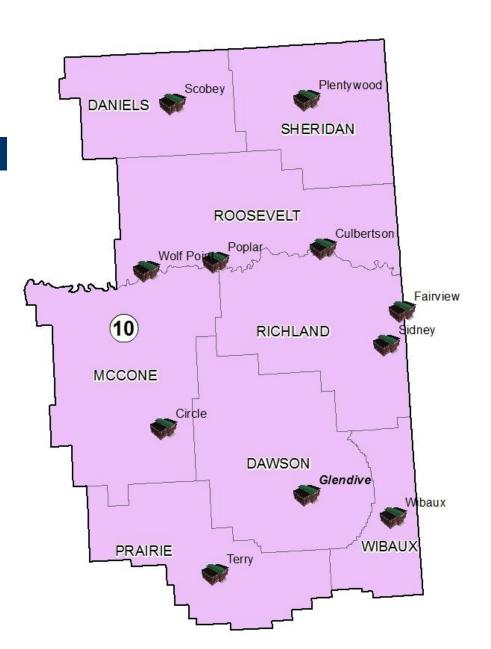
Contract Attorneys: 10

FYE 2011 Cases Opened: 517

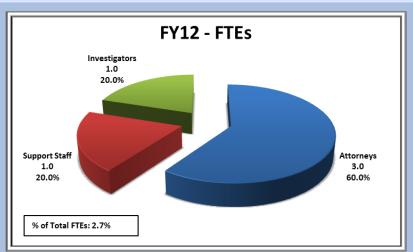
· District Court Cases: 285

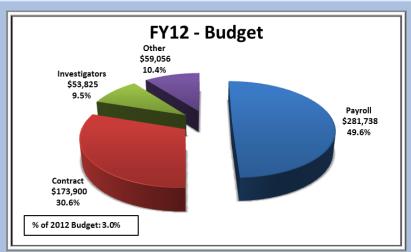
Cases in Courts of Limited Jurisdiction: 232

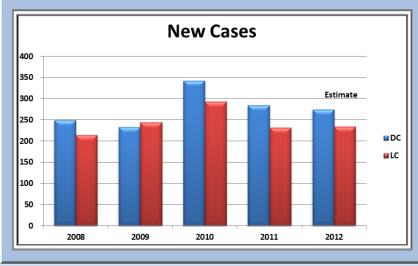
District Courts: 8 Lower Courts: 19 Sq. Miles: 15,184

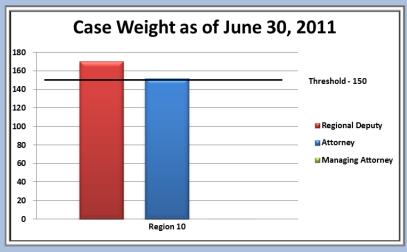


Region 10 – 2012 Snapshot









Region 11 – Miles City

Attorneys: 2 Support Staff: 1 Investigators: 1

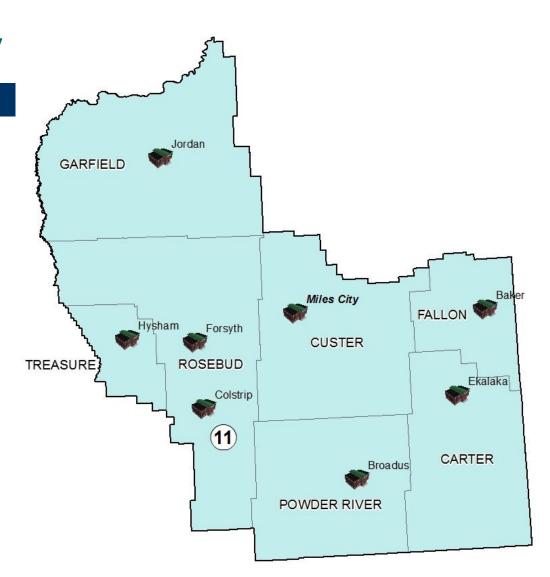
Contract Attorneys: 17

FYE 2011 Cases Opened: 509

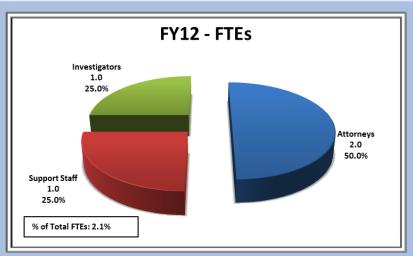
· District Court Cases: 268

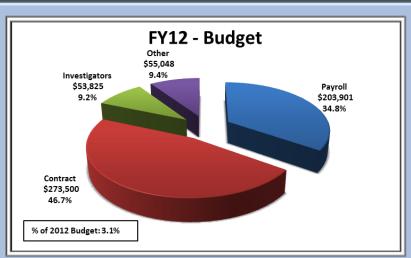
· Cases in Courts of Limited Jurisdiction: 241

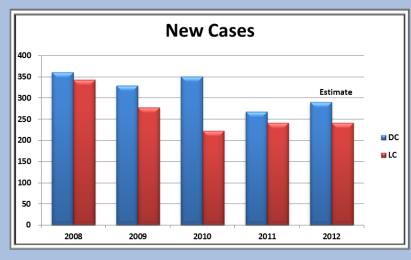
District Courts: 7 Lower Courts: 14 Sq. Miles: 22,700

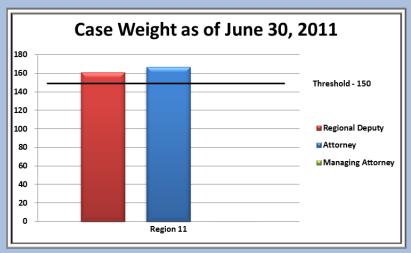


Region 11 – 2012 Snapshot







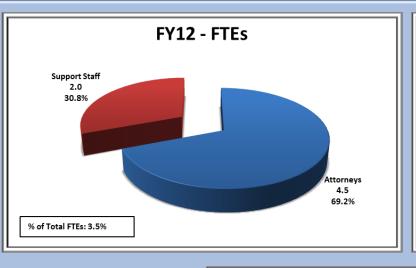


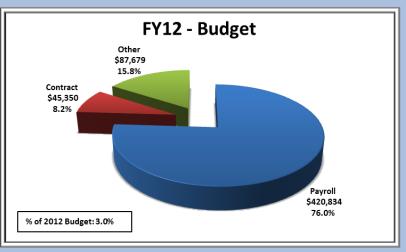
Major Crimes Unit

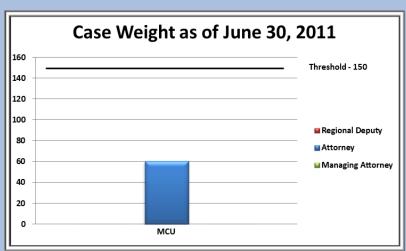
Major Crimes Unit – Serves Entire State

Attorneys: 4.5 Support Staff: 2

Major Crimes Unit – 2012 Snapshot





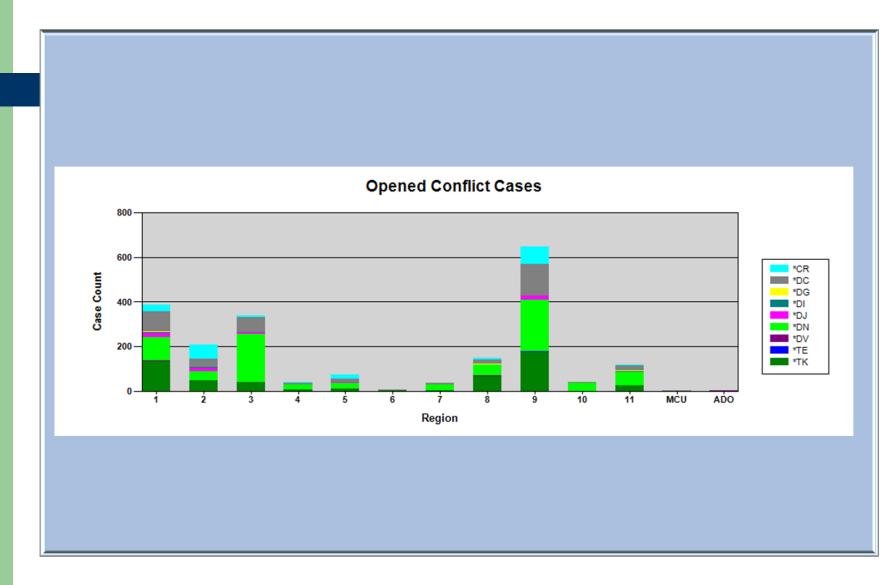


Conflict Coordinator

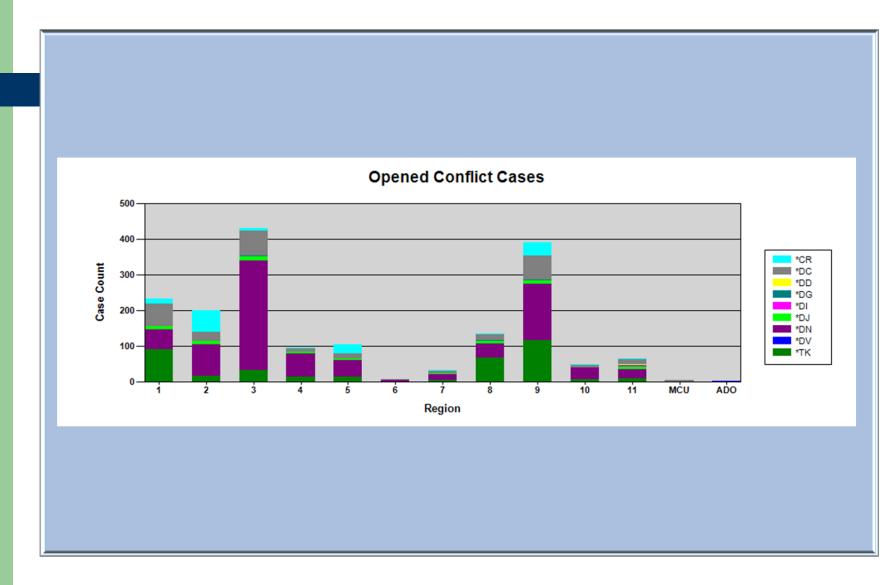
Conflict Coordinator

Attorneys: 0.5

Opened Conflict Cases by Type - Fiscal Year 2011



Opened Conflict Cases by Type - Fiscal Year 2012 (as of 12/31/11)



Central Office

Central Office - Butte

Attorneys: 3.5 (Non Practicing)

Support Staff: 15 Investigators: 0.5

Appellate Defender

Appellate - Helena

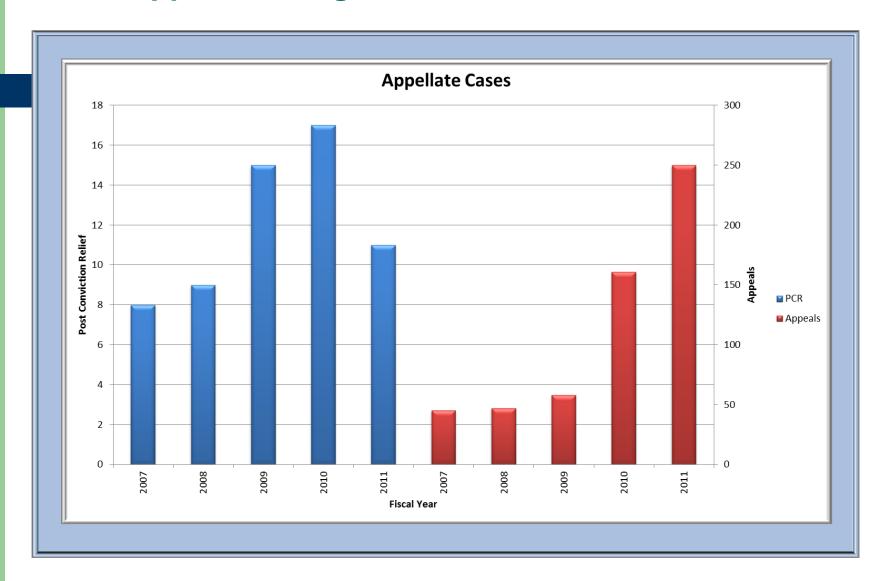
Attorneys: 9

Support Staff: 2

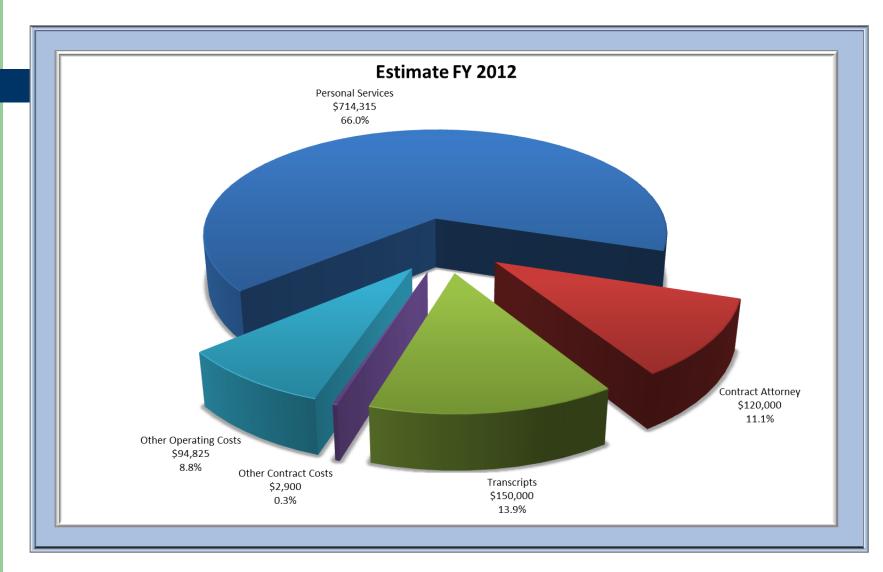
Contract Attorneys: 2

Supreme Court: 1

PCR & Appeal Ending Balance



Appellate Program Expenditures



Appellate Program Turnover Analysis

